

December 10, 2015

2015 DEC 15 AM 8:41

Louisiana Ethics Administration Program
P.O. Box 4368
Baton Rouge, Louisiana 70821

RE: Request for Advisory Opinion – Patrick L Keller

I request an advisory opinion from the Board of Ethics regarding the following post state employment situation.

I was employed from August 2006 through August 2014 as an employee with the State of Louisiana, Division of Administration. As a staff attorney, I worked primarily on Disaster Recovery Housing Programs funded with HUD-CDBG funds. On July 1, 2013, I was transferred from the Division of Administration, Office of Community Development to the Division of Administration, Office of General Counsel. From July 1, 2013 until August 22, 2014, while with the Office of General Counsel, I worked on legal matters involving the Disaster Recovery Housing Programs with the Office of Community Development. While I was employed with the Division of Administration, Office of General Counsel, I performed a variety of legal work including review of legislative bills for the Division, responding to public records requests, and assisting with the defense of lawsuits involving the Office of Community Development. On August 22, 2014, I left Louisiana State employment and returned to the private sector.

From August 2014 until August 2015 I worked for a private consultant working on federally funded disaster recovery projects in the City of New York. In August 2015, I left this private employment in New York City and returned to Louisiana seeking employment.

Issue 1: Recently, I was contacted by a private consultant who is interested in including my name on a proposal in a response to a Request for Proposals issued by the Louisiana Housing Corporation for Program Management of the Disaster Recovery Housing Programs. The disaster recovery housing programs include some programs formerly with the Division of Administration, Office of Community Development, but now moved to the Louisiana Housing Corporation. I worked on some of these programs while with the State of Louisiana, Division of Administration. I have never been employed the Louisiana Housing Corporation (LHC). Should I be hired by this private consultant, I will be paid for working on Disaster Recovery Housing Programs now housed with the Louisiana Housing Corporation but formerly with the Division of Administration, Office of Community Development. I would be either an employee or sub-contractor of the consultant contracting with the LHC. As I understand from the scope of work of the RFP from LHC, I would not be performing any legal work but rather programmatic guidance to Disaster Recovery Housing Programs.

In 2011, the Louisiana Housing Corporation was created under Louisiana Revised Statute 40:600.88. Under Louisiana Revised Statute 40:600.91, the Louisiana Housing Corporation was authorized and required to assume administration or management of disaster recovery programs funded by the Department of Housing and Urban Development Community Development Block Grants and Supplemental Appropriations Act of 2008 (P.L. 110-225) as designated by the Commissioner of Administration.

Issue 2: I have also been contacted by a private consultant to provide programmatic guidance to the parishes for disaster recovery projects. The consultant would be consulting directly with the local parish or other local government entity, and I would be hired as an employee of the consultant. The projects are funded by CDBG funds allocated from the Department of Housing and Urban Development (HUD) to the State of Louisiana. For Hurricanes Gustav/Ike and Hurricane Isaac, the State of Louisiana, Division of Administration, Office of Community Development entered into sub-recipient agreements with local parishes and local governments. As a sub-recipient the local governments administer the program with oversight provided by the State Office of Community Development.

My request for an advisory opinion involves the following questions.

- 1) What is the earliest date I could work under a private consulting contract with the Louisiana Housing Corporation involving Disaster Recovery Housing Programs?
- 2) What is the earliest date I could work under a private consulting contract with the local parish and city governments for CDBG funded projects administered by the sub-recipient parish or local government?

According to La. R.S. 42:1121, addressing post employment, "During the two year period following the termination of public service as a public employee, these individuals may not assist another for compensation, in a transaction, or in an appearance in connection with a transaction involving the agency in which the former public employee participated while employed by the agency nor may the former public employee provide on a contractual basis to his former public employer, any service he provided while employed there."

Thank you for your time and consideration in providing this advisory opinion in order that I may feel assured that I am in complete compliance with La. R.S 42:1121 regarding my post state employment. The following is my contact information. My residence is 4021 Monte Vista Drive, Addis Louisiana 70710. My email address is patricklkeller@hotmail.com. My cell # is 225-773-1548.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick L. Keller", with a long horizontal flourish extending to the right.

Patrick L Keller